

AO 441 (Rev. 04/08) Summons on Third-Party Complaint

UNITED STATES DISTRICT COURT

for the

District of New Jersey

DR. MILTON PRYSTOWSKY, in his own right and

Plaintiff

v.

PRIDE MOBILITY PRODUCTS CORP.

Defendant, Third-party plaintiff

v.

Phoenix Mecano, Inc., Dewert Motorized Systems

Third-party defendant

Civil Action No. 2:07-CV-00072 (SDW)(MCA)

Summons on a Third-Party Complaint

To: *(Third-party defendant's name and address)*

Dewert Motorized Systems
7330 Executive Way
Frederick, MD 21704

A lawsuit has been filed against defendant PRIDE MOBILITY PROD, who as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff DR. MILTON PRYSTOWSKY.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff and on the defendant an answer to the attached third-party complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant's attorney, whose name and address are:

Miranda Sambursky Slone Sklarin Verveniotis LLP, Neil Sambursky, Esq., 240 Mineola Boulevard, Mineola, New York 11501

It must also be served on the plaintiff's attorney, whose name and address are:

Deborah A. Crinigan, Esq., Mary Allison McGohon, Esq., White & Williams, 1800 One Liberty Place, 1650 Market Street, Philadelphia, PA 19020

If you fail to do so, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may — but are not required to — respond to it.

Date:

[Signature]

WILLIAM T. WALSH

Name of clerk of court

Deputy clerk's signature

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)

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Proof of Service

I declare under penalty of perjury that I served the summons and complaint in this case on _____ by:

(1) personally delivering a copy of each to the individual at this place, _____; or

(2) leaving a copy of each at the individual's dwelling or usual place of abode with _____ who resides there and is of suitable age and discretion; or

(3) delivering a copy of each to an agent authorized by appointment or by law to receive it whose name is Kristen Miller - HR manager; or

(4) returning the summons unexecuted to the court clerk on _____; or

(5) other (specify) _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

Date: 9/11/09

Jon Sprankle

Server's signature

JON SPRANKLE

Printed name and title

Server's address

RETURN OF SERVICE

UNITED STATES DISTRICT COURT District of New Jersey

Case Number: 2:07-CV-00072 (SDW)(MCA)

Plaintiff:

DR. MILTON PRYSTOWSKY

vs.

Defendant:

PRIDE MOBILITY PRODCTS CORP., PHOENIX MECANO, INC., AND
DEWERT MOTORIZED SYSTEMS

Received by Chesapeake Services to be served on DEWERT MOTORIZED SYSTEMS, 7330 EXECUTIVE WAY, FREDERICK, MD 21704. I, Jon Sprankle, do hereby affirm that on the 11 day of SEPT, 2009 at 2:40pm., executed service by delivering a true copy of the Summons on a Third-Party Complaint, Third Party Complaint and Exhibits in accordance with state statutes in the manner marked below:

() INDIVIDUAL SERVICE: Served the within-named person.

() SUBSTITUTE SERVICE: By serving _____ as _____

() POSTED SERVICE: After attempting service on ___/___ at ___ to a conspicuous place on the property described herein.

() OTHER SERVICE: As described in the Comments below by serving KIRSTEN Miller as CORPORATE - HR manager

() NON SERVICE: For the reason detailed in the Comments below.

COMMENTS: _____

Age 32-37 Sex M ☒ F Race W Height 5'5" Weight 120 Hair Dirty Blonde Glasses Y ☒ N

I certify under the penalties of perjury that I have no interest in the above action, I am over 18 years of age and I have proper authority in the jurisdiction in which the service was made, and I have personal knowledge of the facts set forth herein.

Jon Sprankle

PROCESS SERVER # _____

Appointed in accordance with State Statutes

Chesapeake Services
P.O.B. 470
Chester, MD 21619
(410) 643-3731

Our Job Serial Number: 2009003394

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